

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CARISSA PERONIS, Administratrix of  
the Estate of KENDALL PERONIS,  
deceased, and MATTHEW FRITZIUS,

Plaintiffs,

v.

UNITED STATES OF AMERICA;  
PRIMARY HEALTH NETWORK –  
BEAVER FALLS PRIMARY CARE;  
VALLEY MEDICAL FACILITIES, INC.  
t/d/b/a HERITAGE VALLEY  
PEDIATRICS; VALLEY MEDICAL  
FACILITIES, INC. t/d/b/a HERITAGE  
VALLEY BEAVER; KEVIN C. DUMPE,  
M.D., and HILARY JONES, M.D.

Defendants.

Civil Action No:

***ELECTRONICALLY FILED***

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**NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANTS PRIMARY HEALTH  
NETWORK – BEAVER FALLS PRIMARY CARE and KEVIN C. DUMPE, M.D. ONLY  
PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), the Plaintiffs Carissa Peronis, Administratrix of the Estate of Kendall Peronis, Deceased, and Matthew Fritzius hereby give notice that Defendants Primary Health Network – Beaver Falls Primary Care and Kevin C. Dumpe, M.D. are voluntarily dismissed as Defendants without prejudice.

1. On September 8, 2016, Plaintiffs filed the Complaint in this action, and named as Defendants Primary Health Network – Beaver Falls Primary Care and Kevin C. Dumpe, M.D.
2. Defendants have not answered the Complaint or moved for summary judgement.
3. Federal Rule of Civil Procedure 41(a)(1)(A)(i) provides that so long as the opposing party has not yet served an answer or motion for summary judgment, a plaintiff may

voluntarily dismiss a party or action, the case without a court order by filing the notice of dismissal.

4. Plaintiffs hereby give such notice of voluntary dismissal, and Defendants Primary Health Network – Beaver Falls Primary Care and Kevin C. Dumpe, M.D. are voluntarily dismissed as Defendants without prejudice.

HARRY S. COHEN & ASSOCIATES

BY: s/ Douglas L. Price  
Douglas L. Price, Esquire  
[dprice@medmal1.com](mailto:dprice@medmal1.com)

HARRY S. COHEN & ASSOCIATES, P.C.  
Two Chatham Center, Suite 985  
Pittsburgh, PA 15219  
(412) 281-3000

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within Plaintiffs' Notice of Voluntary Dismissal was served by email on October 7, 2016 upon the following:

**Paula Koczan, Esquire (pkoczan@wglaw.com)**

Weber Gallagher Simpson  
Stapleton Fires & Newby LLP  
2 Gateway Center, Suite 1450  
603 Stanwix Street  
Pittsburgh, PA 15222

*(Counsel for Defendants Valley Medical Facilities, Inc. t/d/b/a Heritage Valley Beaver t/d/b/a Family Medicine Center, and Hillary Jones, M.D.)*

**Michael C. Colville, Esquire**

Assistant U.S. Attorney  
Western District of PA  
U.S. Post Office & Courthouse  
700 Grant Street, Suite 4000  
Pittsburgh, PA 15219

*(Counsel for United States of America)*

Respectfully submitted:

HARRY S. COHEN & ASSOCIATES, PC

By: /s/ Douglas Price

Douglas L. Price, Esquire  
*Attorney for Plaintiff*